

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

BRYAN E. RANSOM, CASE NO. 1:05-cv-00086-OWW-GSA PC

Plaintiff, ORDER VACATING MOTION TO DISMISS FROM COURT'S CALENDAR PENDING SUBMISSION OF DEFENDANTS' SECOND MOTION FOR SUMMARY JUDGMENT PURSUANT TO LOCAL RULE 230(L)

M. JOHNSON, et al., PURSUANT TO LOCAL RULE 230(L)

Defendants. (Doc. 208)

This is a civil rights action filed pursuant to 42 U.S.C. § 1983 by Plaintiff Bryan E. Ransom, a state prisoner proceeding pro se and in forma pauperis. Pending before the Court is Defendants' motion to dismiss misjoined claims and sever defendants, filed July 22, 2009. Fed. R. Civ. P. 20, 21.

The Court has reviewed the voluminous record in this action, and finds that conservation of the Court's resources is best served by consideration of the pending motion to dismiss following resolution of the parties' motions for summary judgment. Accordingly, in light of 28 U.S.C. § 476(a)(1), the Civil Justice Reform Act, Defendants' motion to dismiss, filed July 22, 2009, is HEREBY DEEMED VACATED from the Court's calendar until Defendants' second motion for summary judgment is submitted. Local Rule 230(l).

IT IS SO ORDERED.

Dated: February 8, 2010

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE